

REMARKS

Favorable consideration and allowance are requested for claims 7, 8, and 10 in view of the following remarks.

Status of the Application

Claims 7, 8, and 10 are pending in this application. Claims 1-6 were previously withdrawn. Claim 9 was previously canceled. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent No. 5,293,163 to Kakiyama *et al.* (the “Kakiyama patent”) in view of Japanese Patent Publication No. JP 11-281378 to Mizushima (the “Mizushima publication”), U.S. Patent No. 6,870,487 to Nuesser *et al.* (the “Nuesser patent”), and U.S. Patent No. 5,539,645 to Mandhyan *et al.* (the “Mandhyan patent”). Claims 8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable by Kakiyama patent in view of the Mizushima publication, the Nuesser patent, the Mandhyan patent, and U.S. Patent No. 5,874,905 to Nanba *et al.* (the “Nanba patent”).

Rejections under 35 U.S.C. § 103(a)

According to the Office Action, the combination of the Kakiyama patent, the Mizushima publication, the Nuesser patent, and the Mandhyan patent renders claim 7 obvious. In response, Applicants respectfully submit that claim 7, as amended, is patentable over these references for the reasons set forth below.

The Mandhyan patent discloses the collection and analysis of road data from probe vehicles. Means and standard deviations are calculated to determine

whether data from a particular probe vehicle should event be sent: “probe vehicles report only unusual conditions (probe speed out of allowed deviation from the mean.” Mandhyan patent at col. 3, lines 4-6. In other words, the Mandhyan discloses suppressing the communication of information based on statistical measurements.

In contrast, the present invention determines a standard deviation of traffic jam statistical information based on the repeatability of that information. In particular, traffic information is collected at various locations and at various times, the information is compiled and analyzed to provide statistical traffic information and a reliability of the same, and the statistical information and the reliability of that information is overlappingly displayed on a map.

For example, as described on page 28, lines 5-15 of the Specification, the standard deviation of traffic jam information is classified into three ranks according to thresholds in a traffic link. If the standard deviation of the data is small, the reliability is high. And, if the standard deviation is large, the reliability is low. Thus, by considering the standard deviation of the original compiled data, it is possible to present the accuracy of a traffic jam forecast presented to a driver. The driver can then make use this information to determine how to best avoid a traffic jam.

Such an estimation of the reliability is not described in the Mandhyan patent or in the other cited references. Therefore, Applicants respectfully submit that claim 7 is patentable over these references.

With respect to claims 8 and 10, the Office Action states that the combination of the Kakiyama patent, the Mizushima publication, the Nuesser patent, the Mandhyan patent, and the Nanba patent renders these claims obvious. In response, Applicants respectfully submit that the Nanba patent fails to disclose or suggest the subject matter of claim 7 missing from the other cited references.

Specifically, the Nanba patent discloses changing the size and color of marks. However, this reference does not teach or suggest displaying traffic jam information that changes over time. For at least these reasons, therefore, and as each of claims 8 and 10 depends from claim 7, these claims are also patentable.

* * * * *

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029118.53153US).

Respectfully submitted,

Date: September 26, 2009

/Michael H. Jacobs
Michael H. Jacobs
Registration No. 41,870

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
MHJ:msy